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26 **UNITED STATES DISTRICT COURT**
27 **EASTERN DISTRICT OF CALIFORNIA**

28 M.P., a minor, by and through his guardian
ad litem, Roy McCollum, individually and as
successor in interest to Decedent
BRITTANY CAITLIN McCULLUM; and
ROY McCOLLUM, individually,

CASE NO. 2:23-cv-00245-AC

Plaintiffs,
v.
Complaint Filed: 02/08/2023

**STIPULATION AND (PROPOSED) ORDER
TO EXTEND TIME TO RESPOND TO
COMPLAINT**

COUNTY OF SAN JOAQUIN, a public
entity; San Joaquin County Sheriff
PATRICK WITHROW; San Joaquin County
Employees PAULA ALEYDA ARAGON

1 DE GONZALEZ, LVN; MARY M.
2 CENDANA, RN; and County of San Joaquin
3 DOES 1-50, jointly and severally,

4 Defendants.
5 _____ /

6 Plaintiffs M.P., a minor, by and through his guardian ad litem, Roy McCollum, individually and
7 as successor in interest to Decedent BRITTANY CAITLIN McCULLUM; and ROY McCOLLUM,
8 individually, by and through their counsel of record, hereby STIPULATE and AGREE that Defendants
9 COUNTY OF SAN JOAQUIN, PATRICK WITHROW, PAULA ALEYDA ARAGON DE GONZALES,
10 LVN and MARY M. CENDANA, RN (County Defendants) may have an extension until June 19, 2023
11 to file a responsive pleading to Plaintiffs' Complaint, to allow counsel for Defendants and Plaintiffs to
12 further meet and confer regarding the Complaint, in an effort to avoid motion practice. The Parties further
13 agree that, if County Defendants elect to file any responsive pleading other than an answer, the following
14 briefing schedule will apply: Plaintiffs shall have the same amount of time as the County Defendants'
15 extension within which to file their Opposition to any motion, i.e., 49 days (21 days from the May 1, 2023
16 date of service of the Complaint, plus the 28-day extension). The Parties further agree that the County
17 Defendants' Reply to Plaintiffs' Opposition shall be due seven days after the filing of Plaintiffs'
18 Opposition. This stipulated briefing schedule will override the otherwise applicable briefing schedule
under the Eastern District of California Civil Local Rules.

19 **IT IS SO STIPULATED.**

20 Dated: May 18, 2023 Respectfully submitted,

21 PORTER SCOTT
A PROFESSIONAL CORPORATION

22 /s/ John R. Whitefleet (as authorized on 05/17/23)
23 By: John R. Whitefleet
24 Attorneys for Defendants

25 Dated: May 18, 2023 LAW OFFICE OF SANJAY S. SCHMIDT
26 -and-
27 HELM LAW OFFICE, PC

28 /s/ T. Kennedy Helm, IV
29 By: T. Kennedy Helm, IV
30 Sanjay S. Schmidt
31 Attorneys for Plaintiffs

[PROPOSED] ORDER

GOOD CAUSE APPEARING THEREFOR, and the Parties having stipulated to the same, the
Parties' stipulation is hereby APPROVED.

IT IS HEREBY ORDERED that Defendants COUNTY OF SAN JOAQUIN, PATRICK WITHROW, PAULA ALEYDA ARAGON DE GONZALES, LVN and MARY M. CENDANA, RN (County Defendants) shall file their response to Plaintiffs' Complaint by June 19, 2023.

IT IS FURTHER ORDERED that if County Defendants elect to file any responsive pleading other than an answer, the following briefing schedule will apply: Plaintiffs shall have the same amount of time as the County Defendants' extension within which to file their Opposition to any motion, i.e., 49 days (21 days from the May 1, 2023 date of service of the Complaint, plus the 28-day extension). The County Defendants' Reply to Plaintiffs' Opposition shall be due seven days after the filing of Plaintiffs' Opposition.

IT IS SO ORDERED.

DATED: May 18, 2023

Allison Claire
ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE